

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA OF  
NORTHERN DIVISION

EARNEST LEE WALKER, JR., )  
                                  )  
Plaintiff,                    )  
v.                             ) CASE NO. 2:05-cv-346-F  
                                  )                                  WO  
KELVIN BRYANT, *et al.*, )  
                                  )  
Defendants.                    )

**O R D E R**

There being no objections filed to the Recommendation of the Magistrate Judge entered on April 22, 2005 (Doc. #3), said Recommendation is hereby adopted and it is the ORDER, JUDGMENT and DECREE that:

1. Plaintiff's complaint is DISMISSED without prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(ii); and
2. This case is DISMISSED prior to service of process.

DONE this 11th day of May, 2005.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE